## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA: Crim. No. 1:15-CR-00264

:

v.

:

**KYLE EUGENE GORDON** : Judge Sylvia H. Rambo

## **ORDER**

**AND NOW**, upon consideration of Defendant Kyle Eugene Gordon's *pro se* Motion for relief based on *United States v. Davis*, 139 S. Ct. 2319 (2019), (Doc. 74),

## IT IS HEREBY ORDERED THAT:

- 1. The Defendant's motion is **DENIED** for the reasons set forth in the Court's accompanying memorandum; and
- 2. There is no basis for the issuance of a certificate of appealability.

## SO ORDERED.

/s/ Sylvia H. Rambo SYLVIA H. RAMBO United States District Judge

Dated: March 10, 2021